

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE \*  
WALTER L. AGOSTO ALGARIN \* CASE NO. 11-06929 ESL  
DEBTOR \*  
\*\*\*\*\* \* CHAPTER 13

**MOTION FOR CONTINUATION OF THE AUTOMATIC STAY IN CASE  
FILED WITHIN ONE YEAR OF PREVIOUS FILING**

**TO THE HONORABLE COURT:**

COME NOW, **WALTER L. AGOSTO ALGARIN**, debtor in the above captioned case, through the undersigned attorney, and very respectfully states, alleges and prays as follow:

1. The debtor notified all creditors and parties in interest and hereby moves this Court, pursuant to § 362 (c) (3) (B), for an Order continuing the automatic stay provided under § 362 (a) as to all creditors. In support of this motion, the debtor states as follow:
2. The debtor filed a petition under Chapter 13 on August 17, 2011, case number 11-06929 ESL.
3. The debtor filed a petition under Chapter 13 on August 27, 2009, case number 09-07084 ESL which was converted to Chapter 7 on August 20, 2010.
4. On July 14, 2011, the debtor received a Discharge in case 09-07084 ESL.
5. Debtor has special circumstances and changes that will allow him to complete his new Chapter 13 Plan.

6. In the present case, the debtor will continue making direct payments to Banco Santander as a secured creditor.
7. The debtor and spouse are employed, and also the debtor receives additional income from part-time employment. In addition, debtor anticipates an increase in the family income that will occur within one year of filing of the present case.
8. The petition in this case has been filed in good faith. The debtor believes that the Chapter 13 Plan he has submitted will be confirmed and that he will be able to fully perform under the terms of the Plan.
9. The debtor's prior chapter 13 case 09-07084 ESL, was the only previous case by the debtor that was pending during the preceding year.

**WHEREFORE**, the debtor respectfully requests that this Honorable Court continue the automatic stay under section 362 (a) as to all creditors for the duration of this chapter 13 proceeding, or until such time as the stay is terminated under section 362 (c) (1) or (c) (2), or a motion for relief is granted under section 362 (d).

**NOTICE**

Within twenty one (21) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief

**sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.**

**I HEREBY CERTIFY:** That a copy of this motion has been served to the Chapter 13 Trustee, Alejandro Oliveras Rivera, Esq., through CM/ECF and to all creditors and parties in interest as per master address list.

**RESPECTFULLY SUBMITTED.** In San Juan, Puerto Rico this 18<sup>th</sup> day of August, 2011.

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